



Custody Scrutiny panel

Date: Wednesday 13th September 2023

Time: 18:00- 20:40

Location: Perry Barr Custody Suite

Panel Members: Mohammed Nadeem (Chair), Dawn Dance, Gary Williams, Alison Walker, Paulette Sayers, Pauline White, Joanna Camille,

Guests: Jenson Bloomer (WMPCC Safety Custody Officer), Sam Denness (Beds OPCC)

WMP: Inspectors Lucy Radburn, Talib Hussain, Jason Nunn,

OPCC: Natalie Cox

Apologies: Jane Edgington, Stassi Chilas

	Item Discussed	Actions
1	<p>Welcome and introduction by the chair.</p> <p>Attendee introductions.</p> <p>Minutes of the last meeting, update on any actions taken from last meeting.</p> <p>Insp. TH-</p> <p>Strip Searches</p> <p>Noted as Record 1 on Chair's notes -not on TH's</p> <p>Record 1</p> <ul style="list-style-type: none"> Confirmation of same sex officers for SS. This could only be done based on names – this is problematic where names might not be a good indicator. <p>Record 5 - Panelist's query regarding - use of 'inconclusive' as an outcome</p> <ul style="list-style-type: none"> Suicide, Self-harm markers, PIC refused to answer risk assessment questions therefore a search was conducted. Officer acknowledged that 	<p>Action for force to look into this</p>



	<p>'negative' should have been selected from drop down boxes.</p> <p>UoF</p> <p>Record 1 – Panelist's concern - lack of dignity, no aftercare mentioned</p> <ul style="list-style-type: none">• No more information available about compliance techniques. PIC refused clothes. When sober, food, drink and access to a solicitor was offered.• A care plan would have been in place as well as constant observation as PIC had refused to answer risk assessment questions. However, this is not recorded.• Request for emails to be sent in recognition of good work to two officers has been done. <p>NC has received Chair's Letter of Concern regarding Connect not having mandatory field to record ethnicity of PICs.</p>	<p>JN – Markers should be part of an information gathering exercise. Deep dive into the data to be conducted as markers shouldn't be used in isolation or used as the only reason to justify a SS.</p> <p>Letter to be forwarded to Chief Constable by Inspector Helen Bailey Actioned</p>
2	<p>UPDATE: OPCC- NC On custody data CI. JN</p> <p>HMIC visit highlighted underreporting of UoF. UoF completed forms should be equal to or greater than the number of arrests. Work in progress.</p> <p>Mr. Parsons Head of CJ will review numbers of records around compliant handcuffing as dispute around this being recorded as UoF as it is a tactical, WMP policy-approved response to manage risk.</p> <p>NC</p>	<p>To be revisited in next 12 months</p>



Next panel will be in November 2023 – Role of Chair to rotate. The current Chair's responsibilities will finish in January unless the role can't be filled. Chair can then re-apply. Expressions of interest for position of Chair to be sent to Natalie before the next panel.

Vice-Chair role holder, to continue for another year, at which time both roles will be offered to other panel members.

The Panel has been shortlisted for the Home Office Ferrers Award. Only three panel members can attend therefore, the Chair, Vice-Chair and notetaker were invited. Two places were available due to previous commitments.

UPDATE: Insp. JN

Data overview

Custody numbers rising in response to changes to Force operation model and strategy to take enforcement action. This is reflected in an increase in Stop and Searches.

Strip Searches

Reduction of SS in relation to increase in number of people coming into custody. SSs are below national average.

January 2022 - 24.4% which is down to 5.3% in September 2023

Data shows -

- Custody volumes
- Removal of items not allowed to keep
- Removal of clothing not allowed to keep
- Tracking and monitoring of Juvenile strip searches

As per HMIC, individual assessments inform use of markers. Caution needed as one example of SS not conducted despite marker –

Panel members to email NC expressions of interest for role of Chair.

Places filled, thank you



<p>no Wand or knife arch used. PIC found to have mobile phone - performance issue for individual. Reliance on staff to update Connect regarding use of Wand and knife arch.</p> <p>Juvenile SS without AA and no rationale currently too high. Expectation that AA will be present unless significant threat. Where no AA has been present, must be explained before search occurs, e.g., 2am and nobody available.</p> <p>A juvenile is defined as any person under the age of 17 years old.</p> <p>Disproportionality in SS is better compared to data sets such as Stop and Search data.</p> <p>Data scrutinized to assess officer's understanding of managing risk and ability. Top authorizers of SS are referred for further scrutiny.</p> <p>282 completed UoF forms, which reflects an increase in officers filling them out.</p> <p>Policy to record all officers present at time of UoF as Response Officers records are not accessible due to them being under Local Policing Area (LPA) and not CJ. Difficult to track as the system relates to UoF number not custody number.</p> <p>Compliant handcuffing is not being recorded and only non-compliant handcuffing should be recorded on UoF forms.</p> <p>When used on this population, this is a trigger for review of body worn footage and is graded on a scale of 1-5</p> <ul style="list-style-type: none">• 1 being good.• 5 referrals to professional standards <p>Triggers also for black males aged 18-34</p>	<p>JN to find data about records on use of Wand and knife arch. Action</p> <p>Inspectors have to approve adult SS's Chief Inspector has to authorize juvenile SSs, which aligns with the Stop and Search policy.</p> <p>Dip sample to check submission of UoF forms shows that the quality of rationales from custody staff has improved.</p> <p>One example of good practice around UoF forms was highlighted, with UoF forms being completed by all Response Officers involved in a single case of UoF in custody.</p>
--	--



<p>Review of top 5 UoF tactics</p> <p>58 trigger reviews 33 completed to date (56.9%)</p> <p>Body worn cameras</p> <p>Personal issue for all inspectors but there is a pool of cameras for staff – enough for everyone on duty to wear one. Docking stations installation and Generation 3 cameras to be available for everyone from next year</p> <p>For evidential samples, any planned UoF should be recorded on body worn cameras.</p> <p>Overview of recent HMIC visit New areas identified for review as well as historical concerns. Last inspection was 2017 – some historical risks to be mitigated in other ways. Improvements in UoF, improved recording of rationale. Data for how many distraction packs for YP is recorded</p>	<p>UoF Working Group to deal with HMIC recommendations.</p>
<p>3 Dip sample of Use of Force records –</p> <p>All dip sampled records where selected at random by Chair at pre-meet with NC</p> <p>All panel members looked at Record 5 together at the start. Viewed accompanying body worn footage, Discussion about footage and looked at remaining records.</p> <p>A total of 5 records were covered. Dip sample of Use of Force records -</p> <p>Out of the 5 records; 23 online individual responses split across 4 records (4 response per record apart from Record 5 as all watched BWV and assessed against record)</p>	<p>Overall feedback</p> <p>Record 1- Positive UoF was justified and proportionate, due to the dynamic risk assessment at the time. The PIC required a medical review but the rationale wasn't clear that this happened whilst in custody. The form did not give a clear rationale for the strip search happening This would information would help to form the necessary element.</p> <p>Record 2- positive/neutral- panel left feeling unsure, agreed UOF was fair and proportionate, listed care taken with</p>



<p>Do the panel feel the Use of force was necessary and proportionate?</p> <table border="1"> <thead> <tr> <th>Answers</th> <th>Count</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>18</td> <td>78.26%</td> </tr> <tr> <td>No</td> <td>5</td> <td>21.74%</td> </tr> </tbody> </table> <p>Do you feel the rationale gives clear justification of why that Use of Force was used?</p> <table border="1"> <thead> <tr> <th>Answers</th> <th>Count</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>14</td> <td>60.87%</td> </tr> <tr> <td>Unsure</td> <td>6</td> <td>26.09%</td> </tr> <tr> <td>No</td> <td>3</td> <td>13.04%</td> </tr> </tbody> </table> <p>Overall scrutiny panel feedback:</p> <table border="1"> <thead> <tr> <th>Answers</th> <th>Count</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Positive</td> <td>11</td> <td>47.83%</td> </tr> <tr> <td>Neutral</td> <td>8</td> <td>34.78%</td> </tr> <tr> <td>Negative</td> <td>4</td> <td>17.39%</td> </tr> </tbody> </table>	Answers	Count	Percentage	Yes	18	78.26%	No	5	21.74%	Answers	Count	Percentage	Yes	14	60.87%	Unsure	6	26.09%	No	3	13.04%	Answers	Count	Percentage	Positive	11	47.83%	Neutral	8	34.78%	Negative	4	17.39%	<p>individual, however lacked detail in consideration of the mental health needs. The need is clearly listed for justification of force but felt not fully understood or addressed.</p> <p>Record 3- Positive - Lengthy and sufficiently detailed to enable an understanding of why the UoF was required, Good considering the age and size of pic to make sure no harm was caused during use of force. Detailed and thorough report, good overall summary.</p> <p>Record 4- Negative Nothing in write up to analyze, needs more information, so little detail on anything. Not enough detail to make an informed view on proportionality so negative</p> <p>Record 5-BWV WATCHED Neutral with feedback for force- The detail of aggression by the PIC is evidenced well, however, the use of force description wasn't, does not provide any detail as to the type and level of force deployed on the juvenile. This record was not sufficient and robust. However, BWV adds a depth that the custody record didn't. Key points What prompted initial takedown? Very unclear? Lengthy time lapse for conclusion, lack of communication with PIC, plenty of opportunities to de-escalate. Juvenile asked for certain officer not to come near him as he had hurt him the last time, this trigger could have been removed.</p>
Answers	Count	Percentage																																
Yes	18	78.26%																																
No	5	21.74%																																
Answers	Count	Percentage																																
Yes	14	60.87%																																
Unsure	6	26.09%																																
No	3	13.04%																																
Answers	Count	Percentage																																
Positive	11	47.83%																																
Neutral	8	34.78%																																
Negative	4	17.39%																																
<p>Dip sample record Strip Search -</p> <p>All dip sampled records where selected at random by Chair at pre-meet with NC</p>	<p>Overall feedback</p>																																	



<p>A total of 6 records were covered.</p> <p>Out of the six records; 23 online individual responses split across 6 records (3/4 response per record)</p> <p>Search Result- item found: 6/6 Nothing found</p> <p>If Juvenile or vulnerable was an AA present? If not why?</p> <p>3/3 present 3 not required due to age.</p> <p>Do the panel feel the reason for the strip search was necessary and reasonable?</p> <table border="1"> <thead> <tr> <th>Answers</th> <th>Count</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>21</td> <td>91.3%</td> </tr> <tr> <td>No</td> <td>2</td> <td>8.7%</td> </tr> </tbody> </table> <p>Do you feel the rationale gives clear justification of why a strip search was authorised?</p> <table border="1"> <thead> <tr> <th>Answers</th> <th>Count</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Yes</td> <td>20</td> <td>86.96%</td> </tr> <tr> <td>Unsure</td> <td>2</td> <td>8.7%</td> </tr> <tr> <td>No</td> <td>1</td> <td>4.35%</td> </tr> </tbody> </table> <p>Scrutiny panel feedback Positive, Negative or Neutral?</p> <table border="1"> <thead> <tr> <th>Answers</th> <th>Count</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Positive</td> <td>18</td> <td>78.26%</td> </tr> <tr> <td>Negative</td> <td>3</td> <td>13.04%</td> </tr> <tr> <td>Neutral</td> <td>2</td> <td>8.7%</td> </tr> </tbody> </table>	Answers	Count	Percentage	Yes	21	91.3%	No	2	8.7%	Answers	Count	Percentage	Yes	20	86.96%	Unsure	2	8.7%	No	1	4.35%	Answers	Count	Percentage	Positive	18	78.26%	Negative	3	13.04%	Neutral	2	8.7%	<p>Record 1- Positive</p> <p>Panel felt was Justified and good rationale provided.</p> <p>Could query the claim that the PIC had plenty of time to conceal based on the rest of the rationale provided. Maybe the inclusion of timeframes would have helped.</p> <p>Record 2- Positive</p> <p>Panel felt search was Justified and good rationale provided.</p> <p>Record 3- Negative</p> <p>Panel very confused by this write up and concerned if strip search had taken place before coming to custody and no mention of AA or Sign from CI or this.?</p> <p>However, the overall rationale for search was justified, it is the record that requires work and panel want this looked at in more detail and explanation brought back.</p> <p>Record 4 Negative</p> <p>Panel felt the grounds for a search were not clearly listed in the rationale, the rationale is based on the suspicion of the PIC having an item in a body cavity, to which the search wouldn't be able to identify concern Panel request an update on this and why option such as LVL 3/4 watch wasn't used.</p> <p>Record 5- Neutral</p> <p>Seems to have skipped standard search and straight to strip. No process described of using knife arches or wands, mixed response by panel feeling Justification not detailed enough but did think it was necessary and reasonable. Feedback on logging of alternatives to strip search considered esp. when already violent and uncooperative</p>
Answers	Count	Percentage																																
Yes	21	91.3%																																
No	2	8.7%																																
Answers	Count	Percentage																																
Yes	20	86.96%																																
Unsure	2	8.7%																																
No	1	4.35%																																
Answers	Count	Percentage																																
Positive	18	78.26%																																
Negative	3	13.04%																																
Neutral	2	8.7%																																



		<p>Record 6 - Positive</p> <p>Panel felt not fully covered in rationale, Not sure if numerous markers are referring to current situation and fully give the grounds. There is a significant risk and panel feel the search was necessary but unsure of markers being used to heavily justify the grounds without mentioning how recent this are.</p>
4	Action noted from discussions for update at next panel	<p>JN- Confirmation of same sex officers for SS. This could only be done based on names</p> <p>NC to collate notes from panel meeting as overran and turn into actions for Insp. TH</p> <p>NC- Letter to be forwarded to Chief Constable by Inspector Helen Bailey Actioned</p> <p>JN to find data about records on use of Wand and knife arch. Action</p>
5	Date and location of next panel	<p>Next panel to be held; Wednesday 15 November 2023 at Perry Barr Custody Suite.</p> <p>Please arrive on time - tea and coffee will be served at 5:45pm to allow us to start promptly.</p> <p>Perry Barr Custody Suite Holford Drive Birmingham B42 2TU</p>